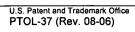
	Application No.	Applicant(s)		
Notice of Allowability	10/736,139	CREAMER ET AL.		
	Examiner	Art Unit		
	Walter F. Briney III	2615		
The MAILING DATE of this communication apperature All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this app or other appropriate communication GHTS. This application is subject to	olication. If not include will be mailed in due	ed course. THIS	
1. A This communication is responsive to <u>amendment after fina</u>	I filed 24 January 2007.			
2. X The allowed claim(s) is/are <u>1-15</u> .				
 Acknowledgment is made of a claim for foreign priority una a) All b) Some* c) None of the: Certified copies of the priority documents have Certified copies of the priority documents have Copies of the certified copies of the priority documents have international Bureau (PCT Rule 17.2(a)). * Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONM 	been received. been received in Application No cuments have been received in this i	national stage applica		
 THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give 			OTICE OF	
 CORRECTED DRAWINGS (as "replacement sheets") must (a) including changes required by the Notice of Draftspers 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner's Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in the 	on's Patent Drawing Review (PTO-	office action of	e back) of	
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.				
Attachment(s) 1. ☐ Notice of References Cited (PTO-892)	5. Notice of Informal P	atent Application		
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	6. Interview Summary	Interview Summary (PTO-413), Paper No./Mail Date		
3. Information Disclosure Statements (PTO/SB/08),	7. Examiner's Amenda	nent/Comment		
Paper No./Mail Date 4. Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. ⊠ Examiner's Stateme	nt of Reasons for Allo	wance	
	· .	•		



Application/Control Number: 10/736,139

Art Unit: 2615

DETAILED ACTION

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

1. Claims 1-15 are allowed.

Independent claims 1, 6 and 11 have been amended in applicant's instant reply and now recite a step of or means for "sending a message informing a subscriber associated with the subscriber DSL modem of when restoration of the DSL communication link to the subscriber DSL modem is expected, said message being sent by the administrative system only after a predetermined amount of time has passed since notification of the administrative system of the failure and the DSL communication link with the subscriber DSL modem has not been restored" (emphasis added). In contrast, the closest cited prior art Owens discloses that the administrative system sends a message informing a subscriber in step 440 responsive to an earlier determination step 428 executed in the subscriber's DSL modem that either new info or a time elapse has occurred. This union of elements does not anticipate the claimed intersection of elements. Moreover, no suggestion or teaching to provide such an intersection is present since the determination made in step 428 is totally opaque to step 440. Thus, claims 1, 6 and 11 are allowable over the cited prior art.

Claims 2-5, 7-10 and 12-15 depend variously on claims 1, 6 and 11, and are allowable over the cited prior art for at least the same reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Application/Control Number: 10/736,139

Art Unit: 2615

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Walter F. Briney III whose telephone number is 571-

272-7513. The examiner can normally be reached on M-F 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Sinh Tran can be reached on 571-272-7564. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have guestions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Page 3

wfb 2/12/07